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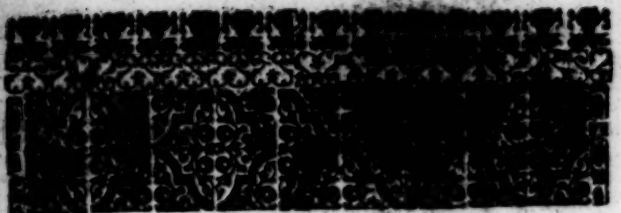

DEPOSITIONS AND ARTICLES AGAINST THOMAS EARLE OF STRAFFORD,

Febr. 16. 1640.

Printed in the yeare 1640.

DEPOSITIONS

AND

ARTICLES

AGAINST

THOMAS

EARLE OF

STRAFFORD,

Febr. 16. 164 0.

Printed in the yeare 1640.

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ARTICLES OF the Commons assembled in Parliament, against *Thomas* Earle of *Strafford*, in maintenance of their accusation whereby he stands charged of High Treason.

I.

THat he the said *Thomas* Earle of Strafford, hath traiterously endeavoured to subvert the fundamentall lawes and government of the Realmes of England and Ireland, and in stead thereof to introduce an arbitrary and tyrannicall government against Law, which he hath declared by trayterous words, counsells and actions, and by giving his Majesty advice, by force of armes to compell his loy-

all Subjects to ſubmit thereunto.

II.

That he hath trayterouſly aſſumed to himſelfe Regall power over the lives, liberties, perſons, lands, and goods of his Majeſties Subjects in England and Ireland, and hath exerciſed the ſame tyrannically, to the ſubverſion and undoing of many both of Peeres and others of his Majeſties liege people.

III.

That the better to inrich and enable himſelfe to goe through with his trayterous deſignes, hee hath detained a great part of his Majeſties revenue, without giving legall account, and hath taken great ſummes out of the Exchequer, converting them to his owne uſe, when his Majeſtie was neceſſitated for his owne urgent occaſions, and his Army had beene a long time unpaid.

IV.

That he hath trayterouſly abuſed the power and authority of his government, to the increaſing, countenancing, and incouraging of Papiſts, that ſo he might ſettle a mutuall dependance and confidence betwixt himſelfe and that party, and by their helpe proſecute and accompliſh his malicious and tyrannicall deſignes.

That

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V.

That he hath maliciously endeavoured to stirre up enmity and hostility betweene his Majesties Subjects of England, and those of Scotland.

VI.

That hee hath trayterously broken the great trust reposed in him by his Majesty, of Lieutenant generall of his Army, by wilfully betraying divers of his Majesties subjects to death, his Army to a dishonourable defeat by the Scots at Newborne, and the Towne of Newcastle into their hands, to the end that by the effusion of blood, by dishonour, and so great a losse of Newcastle, his Majesties Realme of England might be ingaged in a Nationall and irreconsiliable quarrell with the Scots.

VII.

That to preserve himselfe from being questioned for these and other his trayterous courses, hee laboured to subvert the rites of Parliaments, and the ancient course of Parliamentary proceedings, and by false and malicious slanders to incense his Majesty against Parliaments. By which words, counsells, and actions, hee hath trayterously and con-

trary to his Allegiance laboured to alienate the hearts of the Kings liege people from his Majestie, to set a division betweene them, and to ruine and destroy his Majesties Kingdomes, for which they impeach him of high Treason against our Soveraigne Lord the King, his Crowne and dignity.

VIII.

And hee the said Earle of Strafford was Lord Deputy of Ireland, and Lieutenant generall of the Army there: *viz.* his most excellent Majestie for his Kingdomes both of England and Ireland, and Lord President of the North, during the time that all and every the crimes and offences before set forth were done and committed, and he the said Earle was Lieutenant generall of all his Majesties Army in the north parts of England, during the time that the crimes and offences in the 5. and 6. Articles set forth, were done and committed.

IX.

And the said Commons by protestations, saving to themselves the liberty of exhibiting at any time hereafter any other accusation or impeachment against the said Earle, and also of replying to the answers that hee the said Earle shall make unto the said Articles,

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ticles, or to any of them, and of offering proofes alſo of the premiſſes, or any of them, or any other impeachment or accuſation that ſhall be exhibited by them (as the cauſe ſhall according to the courſe of Parliaments require) doe pray that the ſaid Earle may bee be put to anſwer for all and every the premiſſes, that ſuch proceedings, examinations, tryalls, and judgements, may be upon every of them had and uſed as is agreeable to Law and Juſtice.

The

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The further impeachment of *Thomas* Earle of Strafford, by the Commons assembled in Parliament,

1640.

WHereas the said Commons have already exhibited Articles against the said Earle, formerly expressed, &c. Now the said Commons doe further impeach the said Earle as followeth, *viz.*

I.

That hee the said Earle of Strafford the 21. day of March, in the 8. yeare of his now Majesties Reigne was President of the Kings Councell in the Northerne parts of England.

That he the said Earle being President of

the ſaid Councell on the 21. day of March, a Commiſſion under the great Seale of England, with certaine Schedules of Inſtructions thereto annexed, was directed to the ſaid Earle, and others the Commiſſioners therein named, whereby amongſt other things, power and authoritie is limited to the ſaid Earle and others the Commiſſioners therein named to heare and determine all offences and miſdemeanours, ſuites, debates, controverſies, and demands, cauſes, things, and matters whatſoever therein contained, and within certaine precincts in the ſaid Northerne parts therein ſpecified, and in ſuch manner as by the ſaid Schedule is limited and appointed.

That amongſt other things in the ſaid Inſtructions, it is directed that the ſaid Preſident and others therein appointed, ſhall heare and determine according to the courſe of proceedings in the Court of Starchamber, divers offences, deceits and falſities therein mentioned, whether the ſame bee provided for by the Acts of Parliament, or not, ſo that the Fines impoſed bee not leſſe then by Act or Acts of Parliament provided for by thoſe offences is appointed.

That alſo amongſt other things in the ſaid Inſtructions, it is directed that the ſaid Preſi-

dent

dent and others therein appointed, have power to examine, hear, & determine according to the course of proceedings in the court of Chancery, all manner of Complaints for any matter within the said Precincts as well concerning lands, tenements, and hereditaments, either Freehold, Customary, or Copyhold, as Leases, and other things therein mentioned, and to stay proceedings in the Court of Common Law by Injunction, or otherwise, by all wayes and meanes as is used in the Court of Chancery.

And although the former Presidents of the said Councell had never put in practice such Instructions, nor had they any such Instructions, yet the said Earle in the month of May, in the said 8. yeare, and divers yeares following, did put in practice, exercise, and use, and caused to be used and put in practice the said Commission and Instructions, and did direct and exercise an exorbitant and unlawfull power and jurisdiction on the persons and estates of his Majesties subjects in those parts, and did disinherit divers of his Majesties subjects in those parts of their inheritances, sequestred their possessions, & did fine, ransome, punish, and imprison them, and caused them to be fined, ransomed, punished & imprisoned, to their ruine and destruction,

and namely, Sir *Conyers Darcy*, Sir *Iohn Bourcher*, and divers others, against the Lawes, and in subversion of the same. And the said Commission and Instructions were procured and issued by the advice of the said Earle.

And hee the said Earle, to the intent that such illegall and unjust power might be exercised with the greater licence and will, did advise, counsell, and procure further directions, in and by the said Instructions to be given, that no prohibition be granted at all but in cases where the said Counsell shall exceed the limits of the said Instructions: And that if any Writ of *Habeas Corpus* be granted, the party bee not discharged till the party performe the Decree and Order of the said Councell.

And the said Earle in the 13. yeare of his now Majesties Reigne, did procure a new Commission to himselfe and others therein appointed, with the said Instructions, and other unlawfull additions.

That the said Commission and Instructions were procured by the solicitation and advice of the said Earle of Strafford.

II.

That shortly after the obtaining of the said Commission dated the 21. of March, in the 8. yeare

yeare of his now Majesties Raigne (to wit) the last day of August then next following, hee the said Earle (to bring his Majesties liege people into a dislike of his Majesty and of his government, and to terrifie the Justices of the peace from executing of the lawes: he the said Earle, being then President as aforesaid, and a Iustice of Peace) did publiquely at the Assizes held for the County of Yorke in the City of Yorke, in and upon the said last day of August, declare and publish before the people there attending for the administration of Iustice according to the law, and in the presence of the Iustices sitting, that *some of the Iustices were all for law, but they should finde that the Kings little finger should be heavier then the loynes of the law.*

III.

That the Realme of Ireland having beene time out of minde annexed to the Imperiall Crowne of this his Majesties Realme of England, and governed by the same lawes: the said Earle being Lord Deputy of that Realme, to bring his Majesties liege people of that Kingdome likewise into dislike of his Majesties government, and intending the subversion of the fundamentall lawes and setled government

of that Realme, and the distraction of his Majesties liege people, there did upon the 30. day of Septemb. in the ninth yeare of his now Majesties Reigne, in the City of Dublin (the chiefe City of that Kingdome where his Majesties Privy Councell, and Courts of Iustice doe ordinarily reside, and whither the Nobility and Gentry of that Realme doe usually resort for Iustice) in a publique speech before divers of the Nobility and Gentry, and before the Maior, Aldermen, and Recorder, and many Citizens of Dublin, and other his Majesties liege people, declare and publish, that *Ireland was a conquered Nation, and that the King might doe with them what hee pleased*, and speaking of the Charters of the former Kings of England made to that City, hee further said, that *their Charters were nothing worth, and did binde the King no further then he pleased.*

IV.

That *Richard* Earle of Corke having sued out proces in course of law for recovery of his possession, from which he was put by colour of an order made by the said Earle of Strafford, and the Councell Table of the said Realm of Ireland. The said Earle of Strafford upon a paper petition without legall proceedings, did the 20. day of Fe-

 bruary

bruary, in the 11. yeare of his now Majesties Reigne, threaten the said Earle of Corke (being then a Peere of the said Realme) to imprison him, unlesse he would surceale his suite, and said, that *hee would have neither law nor Lawyers dispute or question any of his orders.* And the 20. day of March, in the said 11. yeare, the said Earle of Strafford speaking of an order of the said Councell Table of that Realme, made in the time of King *James*, which concerned a leale which the said Earle of Corke claimed in certain rectories or tithes which the said Earle of Corke alledged to be of no force; said, that *hee would make the said Earle and all Ireland know, so long as hee had the government there, any act of State there made, or to be made, should be as binding to the subjects of that Kingdome, as an Act of Parliament.* And did question the said Earle of Corke in the Castle Chamber, upon pretence of breach of the said order of Councell Table, and did sundry other times, and upon sundry other occasions, by his words and speeches arrogate to himselfe a power above the fundamentall lawes, and established government of that Kingdome, and scorned the said lawes and established government.

V. That

V.

That according to such his declarations and speeches, the said Earle of Strafford did use & exercise a power above, and against, and to the subversion of the said fundamentall lawes, and stablished governement of the said Realme of Ireland, extending such his power to the goods, free-holds, inheritances, liberties, and lives of his Majesties Subjects of the said Realme, *viz.* The said Earle of Strafford the 12. day of Decemb. Anno. Dom. 1635. in the time of full peace, did in the said Realme of Ireland, give and procure to bee given against the Lord Mount-Norris (then and yet a Peer of Ireland, and then Vice Treasurer and receiver generall of the Realme of Ireland, and one of the principall Secretaries of State, and Keeper of the Privy Signet of the said Kingdome) a sentence of death by a Councell of warre called together by the said Earle of Strafford, without any warrant or authority of law, or offence deserving any such punishment. And hee the said Earle did also at Dublin within the said Realme of Ireland, in the month of March, in the 14. yeare of his Majesties Reigne without any legall or due proceedings or tryall, give or cause to bee given, a sentence of death against one other of his

Majesties

Majesties subjects, whose name is yet unknowne, and caused him to be put to death in execution of the said sentence.

VI.

That the said Earle of Strafford without any legall proceedings and upon a paper petition of *Richard Ralstone*, did cause the said Lord Mount-Norris to be dissezed & put out of possession of his free hold and inheritance of his Mannor of Tymore in the County of Armagh, in the Kingdome of Ireland, the said Lord Mount-Norris having beene two yeeres before in quiet possession thereof.

VII.

That the said Earle of Strafford in the Terme of Holy Trinity, in the 13. yeare of his now Majesties Reigne, did cause a case commonly called *the case of Tenures upon defective titles* to be made and drawne up without any jury or tryall, or other legall proces, and without the consent of parties, and did then procure the Iudges of the said Realme of Ireland to deliver their opinions and resolutions to that case, and by colour of such opinion did without any legall proceeding, cause *Thomas* Lord Dillon, a Peere of the said Realme of Ireland, to be put out of

poſſeſſion of divers Lands and Tenements, being his free-hold in the County of Mago and Roſecomen, in the ſaid Kingdome, and divers others of his Majeſties ſubjects to be alſo put out of poſſeſſion, and diſeized of their free-hold by colour of the ſame reſolution, without legall proceedings, whereby many hundreds of his Majeſties ſubjects were undone, and their families utterly ruined.

VIII.

That the ſaid Earle of Strafford upon a petition of Sir *Iohn Gifford* Knight, the firſt day of February, in the ſaid 13. year of his Majeſties Reigne, without any legall proces, made a decree or order againſt *Adam* Viſcount Loſts of Elie, a Peere of the ſaid Realme of Ireland, and Lord Chancellor of Ireland, and did cauſe the ſaid Viſcount to be impriſoned and kept cloſe priſoner on pretence of diſobedience to the ſaid decree or order.

And the ſaid Earle without any authority, and contrary to his Commiſſion, required and commanded the ſaid Lord Viſcount to yeeld unto him the great Seale of the Realme of Ireland, which was then in his cuſtody, by his Majeſties command, and

and impriſoned the ſaid Chancellor for not obeying ſuch his command.

And without any legall proceedings, did in the ſame thirteenth yeare impriſon *George* Earle of Kildare, a Peere of Ireland, againſt law, thereby to enforce him to ſubmit his title to the Mannor and Lordſhip of Caſtle Leigh in the Queenes County, (being of great yearely value) to the ſaid Earle of Straffords will and pleaſure, and kept him a yeare priſoner: for the ſaid cauſe two months whereof hee kept him cloſe priſoner, and refuſed to enlarge him, notwithſtanding his Majeſties letters for his enlargrment to the ſaid Earle of Strafford directed.

And upon a petition exhibited in October, 1635. by *Thomas Hibbots* againſt dame *Mary Hibbots* widdow, to him the ſaid Earle of Strafford, the ſaid Earle of Strafford recommended the ſaid petition to the Councell Table of Ireland, where the moſt part of the Councell gave their vote and opinion for the ſaid Lady, but the ſaid Earle finding fault herewith, cauſed an order to bee entred againſt the ſaid Lady, and threatned her, that if ſhee refuſed to ſubmit thereunto, he would impriſon her,

and fine her five hundred pound, that if she continued obstinate, he would continue her imprisonment, and double her fine every month by month, wherof she was enforced to relinquish her estate in the land questioned in the said petition, which shortly was conveyed to Sir *Robert Meredith*, to the use of the said Earle of Strafford.

And the said Earle in like manner did imprison divers others of his Majesties subjects upon pretence of disobedience to his orders and decrees, and other illegall commands by him made for pretended debts, titles of lands, and other causes in an arbitrary and extrajudiciall course, upon paper petitions to him preferred, and no other cause legally depending.

IX.

That the said Earle of Strafford the sixteenth day of Febr., in the 12. yeare of his now Majesties Reigne, assuming to himself a power above and against law, tooke upon him by a generall warrant under his hand to give power to the Lord Bishop of Down and Connor his Chancellor, or Chancellors and their severall officers thereto to bee appointed, to attach and arrest the bodies

of

of all such of the meaner and poorer sort, where after cization should either refuse to appeare before them, or appearing should omit, or denie to performe, or undergo all lawful decrees, sentences and orders, issued, imposed or given out against them, and them to commit and keepe in the next Gaole untill they should either performe such sentences, or put in sufficient Baile to shew some reason before the Councell table, of such their contempt and neglect; and the said Earle the day and yeere last mentioned, signed and issued a warrant to that effect, and made the like warrant to send all other Bishops and their Chancellors in the said Realme of Ireland to the same effect.

X.

That the said Earle of Strafford being Lord Lieutenant, or Deputy of Ireland, procured the Customes of the marchandize exported out, and imported into that Realme to be farmed to his owne use.

And in the ninth yeere of his now Majesties Reigne, he having then intrest in the said Customes (to advance his owne gaine and lucre) did cause and procure the native

tive comodities of Ireland, to bee rated in the booke of Rates for the Cuſtomes (according to which the cuſtomes were uſually gathered) at farre greater values and prices, then in truth they were worth; (that is to ſay) every hide at 20. ſhillings, which in truth was worth but five ſhillings, every ſtone of wooll at thirteen ſhillings fourepence, though the ſame ordinarily were worth but five ſhillings, at the utmoſt but nine ſhillings; by which meanes the cuſtom which before was but a twentieth part of the true value of the commodity, was inhanced ſometimes to a fift part, and ſometimes to a fourth, and ſometimes to a third part of the true value, to the great oppreſſion of the ſubjects and decay of Marchandize.

XI.

That the ſaid Earle, in the ninth yeere of his now Majeſties raigne, did by his own will and pleaſure, and for his owne lucre reſtraine the exportation of the commodities of that kingdome without his licence, as namely Pipe-ſtaves and other commodities, and then raiſed great ſums of mony for licenſing of exportation of thoſe commodities, and diſpenſation of the ſaid reſtraints impoſed on them, by which means

the

the Pipe-ſtaves were raiſed from foure pound ten ſhillings, or 5 pound *per* thouſand to ten pound and ſometimes a leven pound *per* thouſand, and other commodities were inhanced in the like proportion, and by the ſame means by him the ſaid Earle.

XII.

That the ſaid Earle being Lord Deputie of Ireland, on the ninth day of *Ian.* in the thirteenth yeere of his Majeſties Reigne did then under colour to regulate the Importation of Tobacco into the ſaid Realme of Ireland, iſſue a Proclamation in his Majeſties name, prohibiting the importation of Tobacco without licence, of him and the Councell there from and after the firſt day of *May*, *Anno Dom.* 1638. after which reſtraint, the ſaid Earle, notwithſtanding the ſaid reſtraint, cauſed divers great quantities of Tobacco to be imported to his owne uſe, and fraughted divers ſhips with Tobacco, which he imported to his owne uſe: and that if any ſhip brought Tobacco into any Port there, the ſaid Earle and his Agents uſed to buy the ſame to his owne uſe, at their owne price. And if that the owners refuſed to let him have the ſame at under values, then they were not permitted to vent the ſame;

by

by which undue meanes the ſaid Earle having gotten the whole trade of Tobacco into his owne hands, hee ſold it at great and exceſſive prices, ſuch as he liſt to impoſe for his owne profit.

And the more to aſſure the ſaid Monopoly of Tobacco, he the ſaid Earle on the 23. day of February, in the thirteenth yeare aforeſaid, did iſſue another Proclamation, commanding that none ſhould put to ſale any Tobacco by whole ſale from and after the laſt day of May then next following, but what ſhould bee made up into Rolls, and the ſame ſealed with two ſeales by himſelfe appointed, one at each end of the Roll. And ſuch as was not ſo ſealed to be ſeized, appointing ſixe pence the pound for a reward to ſuch perſons as ſhould ſeize the ſame: and the perſons in whoſe cuſtody the unſealed Tobacco ſhould be found to be committed to Gaole, which laſt Proclamation was covered by a pretence of the reſtraining of the ſale of unwholeſome Tobacco, but it was truely to advance the ſaid Monopoly.

Which Proclamation the ſaid Earle did rigorouſly put in execution, by ceazing the goods, fining, impriſoning, whipping, and putting the offendors againſt the ſame Proclamation

clamation on the pillory, as namely, *Barnaby Hubbard*, *Edward Cavell*, *John Tumlin*, and divers others: and made the Officers of State and Justices of Peace, and other Officers to serve him in compassing and executing these unjust and undue courses. By which cruelties and unjust Monopolies, the said Earle raised 100000. pounds *per annum* gaine to himselfe. And yet the said Earle, though he inhanced the Customes where it concerned the Merchants in generall, yet drew downe the impost formerly taken on Tobacco, from six pence the pound to three pence the pound, it being for his owne profit so to doe. And the said Earle by the same, and other rigorous and undue meanes, raised severall other Monopolies and unlawfull exactions for his owne gaine, *viz.* on Starch, Iron pots, Glasses, Tobacco pipes, and severall other commodities.

XIII.

That Flax being one of the principall and native Commodities of that Kingdome of Ireland, the said Earle having gotten great quantities thereof into his hands, and growing on his owne Lands, did issue out severall Proclamations, *viz.* one dated the one and twentieth day of May, in the eleventh of his

Majesties reigne, and the other dated the one and thirtieth of January in the same yeare, thereby prescribing and injoyning the working of Flax into Yarne and Thread, and the ordering of the same in such waies, wherein the Natives of that Kingdome were unpractised and unskilfull; which Proclamations so issued, were by his Commands and Warrants to his Majesties Justices of Peace, and other Officers, and by other rigorous meanes put in execution, and the Flax wrought or ordered in other manner then as the said Proclamation prescribed, was ceazed and employed to the use of him and his agents, and thereby the said Earle endeavoured to gaine, and did gaine in effect the sole sale of that native commodity.

XLV.

That the said Earle of Strafford, by Proclamation dated the sixteenth day of October, in the fourteenth yeare of his Majesties reigne, did impose upon the Owners, Masters, Pursers and Boatswaines of every ship, a new and unlawfull oath, *viz.* that they (two or more of them) immediately after the arivall of any Ship within any Port or Creeke in the said Kingdome of Ireland, should give in a true invoyce of the outward bulke of

Wares

Wares and Merchandiſes, and number of goods, and the qualities and condition of the ſaid goods, as farre as to them ſhould bee knowne, the names of the ſeverall Merchants proprietours of the ſaid goods, and the places from whence they were fraughted, and whither they were bound to diſcharge: which Proclamation was accordingly put in execution, and ſundry perſons enforced to take the ſaid unlawfull Oath.

XV.

That the ſaid Earle of Strafford trayterouſly and wickedly deviſed and contrived by force of Armes in a warlike manner to ſubdue the Subjects of the ſaid Realme of Ireland, to bring them under his tyrannicall power and will, and in purſuance of his wicked and trayterous purpoſes aforeſaid, the ſaid Earle of Strafford in the eighth yeare of his Majeſties reigne, did by his owne authority, without any warrant or colour of Law, tax and impoſe great ſummes of money upon the Townes of Baltemore, Baudenbridge, Talowe, and divers other Townes and places in the ſaid Realme of Ireland, and did cauſe the ſame to be levied upon the inhabitants of thoſe Townes by troopes of Souldiers, with force and armes, in a warlike man-

ner. And on the ninth day of March, in the twelfth yeare of his now Majesties reigne, trayterously did give authority unto *Robert Savile* a Serjeant at Armes, and to the Captaines of the companies of Souldiers, in severall parts of that Realme, to send such numbers of Souldiers to lye on the lands and houses of such as would not conforme to his orders, untill they should render obedience to his said orders and warrants, and after such submission (and not before) the said Souldiers to returne to their Garrisons. And did also issue the like warrants unto divers others, which warrants were in warlike manner, with force and Armes put in execution accordingly, and by such warlike meanes did force divers of his Majesties subjects of that Realm to submit themselves to his unlawfull commands.

And in the said twelfth yeare of his Majesties reigne, the said Earle of Strafford did trayterously cause certaine troopes of horse and foot armed in warlike manner, and in warlike array, with force and armes, to expell *Richard Butler* from the possession of Castle-Cumber, in the Territory of Idough, in the said Realme of Ireland: and did likewise and in like warlike manner, expell divers of his Majesties Subjects from their houses, families,

lies, and poſſeſſions, as namely *Edward Brenman*, *Owen Oberman*, *Patricke Oberman*, Sir *Cyprian Horsfield*, and divers others, to the number of about a hundred families, and tooke and impriſoned them and their wives, and caried them priſoners to Dublin, and there detained them untill they did yeeld up, ſurrender, or releaſe their reſpective eſtates and rights.

And the ſaid Earle in like warlike manner hath during his government of the ſaid kingdome of Ireland ſubdued divers others of his Majeſties ſubjects eaſe to his will, and thereby and by the meanes aforeſaid, hath levied warre within the ſaid Realme againſt his Majeſty and his liege people of that kingdome.

XVI.

That the ſaid Earle of Strafford the two and twentieth of February, in the ſeventh yeare of his now Majeſties reigne, intending to oppreſſe the ſaid ſubjects of Ireland, did make a propoſition, and obtained from his Majeſty an allowance that no complaint of injuſtice or oppreſſion done in Ireland, ſhould be received in England againſt any, unleſſe it firſt appeared that the party made firſt his

addreſſe to him the ſaid Earle: and the ſaid Earle having by ſuch uſurped tyrannicall and exorbitant power, expreſſed in the former Articles, deſtroyed the Peeres and other ſubjects of that Kingdome of Ireland, in their lives, conſciences, land, liberties, and eſtates, the ſaid Earle to the intent the better to maintaine and ſtrengthen his power, and to bring the people into a diſaffection of his Majeſty, as aforeſaid, did uſe his Majeſties name in the execution of his ſaid power. And to prevent the ſubjects of that Realme of all meanes of complaints to his Majeſty, and of redreſſe againſt him and his agents, did iſſue a Proclamation bearing date the ſeventeenth day of September, in the eleventh yeare of his Majeſties reigne, thereby commanding all the Nobility, undertakers and others, who held eſtates and offices in the ſaid kingdome (except ſuch as were employed in his Majeſties ſervice, or attending in England by his ſpeciall command) to make their perſonall reſidence in the ſaid Kingdome of Ireland, and not to depart thence without licence of himſelfe. And the ſaid Earle hath ſince iſſued other Proclamations to the ſame purpoſe, by meanes whereof the ſubjects of the ſaid Realme are reſtrained from ſeeking releeſe againſt the oppreſſions of the ſaid Earle without his licence: which Proclamation the

ſaid

ſaid Earle hath by ſeverall rigorous wayes, as by fine, impriſonment, and otherwiſe, put in execution on his Majeſties ſubjects, as namely, one —— *Parry*, and others, who came over onely to complaine of the exorbitances and oppreſſions of the ſaid Earle.

XVII.

That the ſaid Earle having by ſuch meanes as aforeſaid ſubverted the government and lawes of the Kingdome of Ireland, did in March in the ſixteenth yeare of his Majeſties Reigne, in ſcandall of his Majeſty, of all his Kingdomes, and in further execution of his wicked purpoſes aforeſaid, ſpeaking of the Armies in Ireland, declare, that his Majeſty was ſo well pleaſed with the Army of Ireland, and the conſequence thereof, that his Majeſty would certainly make the ſame a patterne for all his three Kingdomes.

XVIII.

That the ſaid Earle of Strafford, for the better effecting of his trayterous deſignes and wicked purpoſes, did endeavour to draw dependency upon himſelfe of the Papiſts in both Kingdomes of England and Ireland, and to that end during the time of his govern-

ment

ment in Ireland, hee reſtored divers Frieries and Maſſe-houſes (which had beene formerly ſuppreſſed by the precedent Deputies of that Kingdome, two of which houſes were in the City of Dublin, and had beene aſſigned to the uſe of the Univerſity there) to the pretended owners thereof, who have ſince imployed the ſame to the exerciſe of the Popiſh Religion.

And in the month of May and June laſt, the ſaid Earle did raiſe an Army in the ſaid Realme of Ireland, conſiſting of eight thouſand foot, all of which, except one thouſand or thereabouts, were Papiſts, and the ſaid one thouſand were drawne out of the old army there conſiſting of two thouſand foot, and in their places there were a thouſand Papiſts or thereabouts, put into the ſaid old Army by the ſaid Earle.

And the more to ingage and tye the new Army of Papiſts to himſelfe, and to encourage them, and to diſcourage and weare out the old Army, the ſaid Earle did ſo provide, that the ſaid new Army of Papiſts were duly paid, and had all neceſſaries provided for them, and permitted the exerciſe of their Religion, but the ſaid old Army were for the ſpace of one whole yeare and upwards unpaid.

And

And the ſaid Earle being appointed a Commiſſioner within eleven ſeverall Counties in the Northern parts of England, for compounding with Recuſants for their forfeitures due to his Majeſty, which commiſſion beareth date the eight day of Iuly in the fifth yeare of his Majeſties Reigne that now is, and being alſo receiver of the compoſition money thereby ariſing and of other debts, duties, and penalties for his Majeſties uſe, by Letters Patents, dated the ninth day of the ſaid Iuly: he, to engage the ſaid Recuſants to him, did compound with them at lowe and under rates, and provided that they ſhould be diſcharged of all proceedings againſt them, in all his Majeſties Courts, both temporall and eccleſiaſticall, in manifeſt breach of and contrary to the Lawes and Statutes of this Realme, in that behalfe eſtabliſhed.

XIX.

That the ſaid Earle having taxed and levied the ſaid impoſitions, and raiſed the ſaid Monopolies, and committed the ſaid oppreſſions in his Majeſties name, and as by his Majeſties Royall command, hee the ſaid Earle in May the fifteenth yeare of his

Majeſties Reigne, did of his owne authority contrive and frame a new and unuſuall oath, by the purport whereof among many other things, the party taking the ſaid oath, was to ſweare that hee ſhould not proteſt againſt any of his Majeſties Royall commands, but ſubmit themſelves in all obedience thereunto. Which oath he ſo contrived to enforce the ſame on the ſubjects of the Scottiſh Nation inhabiting in Ireland, and out of a hatred to the ſaid Nation, and to put them to a diſcontent with his Majeſty and his government there, and compelled divers of his Majeſties ſaid ſubjects there to take the ſaid oath, ſome he grievouſly fined and impriſoned, and others he deſtroyed and exiled, and namely, the 10. of October, *Anno Dom. 1639.* he fined *Henry Steward* and his wife, who refuſed to take the ſaid oath five thouſand pounds a peece, and their two daughters & *Iames Gray* three thouſand pounds a peece, and impriſoned them for not paying the ſaid fines. The ſaid *Henry Stewards* wife and daughters & *Iames Gray*, being the Kings liege people of the Scottiſh Nation, and divers others he uſed in the like manner; and the ſaid Earle upon that occaſion did declare, that the ſaid oath did not onely obliege them in point of allegiance

giance to his Majesty, and acknowledgement of his Supremacy onely, but to the Ceremonies and government of the Church established, or to be established by his Majesties royall Authority; and said, that the refusers to obey, he would prosecute to the blood.

XX.

That the said Earle in the 15. and 16. yeeres of his Majesties reigne, and divers yeeres past, laboured and endeavoured to beget in his Majesty an ill opinion of his Subjects, namely, those of the Scottish nation, and divers and sundry times, and especially since the pacification made by his Majesty with his said subjects of Scotland in summer, in the fifteenth yeere of his Majesties reigne; he, the said Earle did labour and endevour to perswade, incite, and provoke his Majesty to an offensive warre against his said subjects of the Scottish Nation: and the said Earle, by his counsell, actions, and endevours, hath beene and is a principall and chiefe incendiary of the warre and discord betweene his Majesty and his Subjects of England, and the said Subjects of Scotland, and hath declared,

and adviſed his Majeſty, that the demands made by the Scots in their Parliament were a ſufficient cauſe of warre againſt them. The ſaid Earle having formerly expreſſed the height & rancor of his minde towards his ſubjects of the Scottiſh Nation, *viz.* the tenth day of October, in the fifteenth yeere of his Majeſties reigne, he ſaid that the Nation of the Scots were rebels, and traytors; and he being then about to come to England, he then further ſaid, that if it pleaſed his Maſter (meaning his Majeſty) to ſend him backe againe, he would root out of the ſaid Kingdome (meaning the Kingdome of Ireland) the Scottiſh Nation both root and branch. Some Lords, and others who had taken the ſaid oath in the precedent Article onely excepted: and the ſaid Earle hath cauſed divers of the ſaid Ships and goods of the Scots to be ſtayed, ſeized, and moleſted, to the intent to ſet on the ſaid warre.

XXI.

That the ſaid Earle of *Strafford*, ſhortly after his ſpeeches mentioned in the laſt precedent Article, to wit, in the fifteenth yeere of his Majeſties reign, came into this Realme

Realme of England, and was made Lord Lievtenan t of Ireland, and continued his government of that Kingdome by a Deputy. At his arrivall here, finding that his Majeſty with much wiſedome and goodneſſe had compoſed the troubles in the North, and had made a pacification with his Subjects of Scotland; he laboured by all meanes to procure his Majeſty to break that pacification, incenſing his Majeſty againſt his Subjects of that Kingdome, and the proceedings of the Parliament there. And having incenſed his Majeſty to an offenſive warre againſt his ſaid Subjects of Scotland, by Sea and by Land; and by pretext thereof, to raiſe Forces for the maintainance of that warre: he counceelled his Majeſty to cal a Parliament in England; yet the ſaid Earle intended, if the ſaid proceedings of that Parliament ſhould not be ſuch as would ſtand with the ſaid Earle of Straffords miſchievous deſignes, he would then procure his Majeſty to breake the ſame, and by wayes of force and power to raiſe monies upon the ſaid Subjects of this Kingdome.

And for the incouragement of his Majeſty to hearken to his advice, he did before

his Majesty and his Privie Councell, then sitting in Counsell, make a large Declaration, that he would serve his Majesty in any other way, in case the Parliament should not supply him.

XXII.

That in the moneth of March, before the beginning of the last Parliament, the said Earle of *Strafford*, went into Ireland, and procured the Parliament of that Kingdome to declare their assistance in a warre against the Scots. And gave directions for the raising of an Army consisting of 8000 foot, and 1000 horse, being for the most part Papists, as aforesaid. And confederating with one Sir *George Radcliffe*, did together with him the said Sir *George* trayterously conspire to imploy the said Army for the ruine and destruction of the kingdome of England, and of his Majesties Subjects, and of altering and subverting of the fundamentall Lawes of this Kingdome.

And shortly after, the said Earle of *Strafford* returned into England, and to sundry persons declared his opinion to be *that his Majesty should first try the Parliament here, and*

and if that did not ſupply him according to his occaſions, he might then uſe his Prerogative as he pleaſed, to Levie what he needed, and that he ſhould be acquitted both of God and man if he tooke ſome other courſes to ſupply himſelfe, though it were againſt the will of his Subjects.

XXIII.

That upon the thirteenth day of Aprill laſt, the Parliament of England met, and the Commons houſe (then being the repreſentative Body of all the Commons in the Kingdome) did according to the truſt repoſed in them, enter into debate and conſideration of the great grievances of this Kingdome, both in reſpect of Religion and the publike Liberty of the Kingdome; and his Majeſty referring chiefely to the ſaid Earle of *Strafford* and the Archbiſhop of *Canterbury*, the ordering and diſpoſing of all matters concerning the Parliament: He the ſaid Earle of *Strafford*, with the aſſiſtance of the ſaid Archbiſhop, did procure his Majeſty, by ſundry ſpeeches and meſſages, to urge the ſaid Commons houſe to enter into ſome reſolution for his Majeſties ſupply, for maintainance of his warre againſt

againſt his Subjects of Scotland; before any courſe was taken for the reliefe of the great and preſſing grievances wherewith this Kingdome was then afflicted. Whereupon, a demand was then made from his Majeſty of twelve Subſidies, for the releaſe of Ship-money onely; and while the ſaid Commons then aſſembled (with expreſſions of great affection to his Majeſty and his ſervice) were in debate and conſideration of ſome ſupply, before reſolution by them made. He the ſaid Earle of *Strafford*, with the helpe and aſſiſtance of the ſaid Archbiſhop, did procure his Majeſty to diſſolve the laſt Parliament, upon the fifth day of May laſt: and upon the ſame day, the ſaid Earle of *Strafford* did treacherouſly, falſely, and maliciouſly endeavour to incenſe his Majeſty againſt his loving and faithful Subjects, who had been members of the ſaid houſe of Commons, by telling his Majeſty, they had denyed to ſupply him. And afterward upon the ſame, did treacherouſly and wickedly counſell and adviſe his Majeſty to this effect, *viz. that having tried the affections of his people, he was looſe and abſolved from all Rules of government, and was to doe every thing that power would admit, and that his Majeſty had*

tryed

tryed all wayes, and was refused, and should be acquitted both of God and man, and that hee had an Army in Ireland (meaning the Army above mentioned, consisting of papists, his dependants, as is aforesaid) *which hee might imploy to reduce this Kingdome to obedience.*

XXIV.

That in the same moneth of *May*, he the said Earl of Strafford, falsely, treacherously and maliciously, published and declared before others of his Majesties Privie councell, that the Parliament of England had forsaken the King, and that in denying to supply the King, they had given him the advantage to supply himselfe by other waies: and divers other times he did maliciously, wickedly, and falsely publish and declare, that seeing the Parliament had refused to supply his Majestie in the ordinary and usuall way, the King might provide for the Kingdome in such waies as he should hold fit; and that he was not to suffer himselfe to be mastered by the frowardnesse of the people.

And having so maliciously slandered the

ſaid houſe of Commons, he did with the helpe and advice of the ſaid Archbiſhop of *Canterbury*, and the Lord *Finch*, late Lord Keeper of the great Seale of England, cauſe to be printed, and publiſhed in his Majeſties name, a falſe and ſcandalous booke, entitled, *His Majeſties Declaration* of the cauſes that moved him to diſſolve the laſt Parliament, full of bitter and malicious invectives, and falſe and ſcandalous aſperſions againſt the ſaid houſe of Commons.

XXV.

That not long after the diſſolution of the ſaid laſt Parliament, (*viz.* in the moneths of *May* and *Iune*) he the ſaid Earle of Straffford did adviſe the King to go on rigorouſly in leavying of the Ship-mony, and did procure the Sheriffes of ſeverall Counties to bee ſent for, for not levying the ſhip-mony, divers of which were threatned by him to be ſued in the Starchamber, and afterwards by his advice were ſued in the Starchamber, for not levying the ſame, and divers of his Majeſties loying Subjects were ſent for and impriſoned by his advice about that and other illegall paiments.

And

And a great loane of a hundred thousand pounds was demanded of the City of London, and the Lord Maior and the Aldermen and the Sheriffes of the said City, were often sent for by his advice to the Councell Table, to give an account of their proceedings in raising of Ship-money, and furthering of that loane, and were required to certifie the names of such Inhabitants of the said City as were fit to lend, which they with much humility refusing to doe, he the said Earle of Strafford did use these or the like speeches: *viz. That they deserved to bee put to Fine and Ransome, and that no good would bee done with them, till an example were made of them, and that they were laid by the heeles, and some of the Aldermen hanged up.*

XXVI.

That the said Earle of Strafford by his wicked counsell having brought his Majesty into excessive charges without any just cause, he did in the month of July last (for the support of the said great charges) counsell and approve two dangerous and wicked Projects: *viz.*

To ſeize upon the Bullion and the Money in the Mint.

And to imbaſe his Majeſties Coine with the mixtures of Braſſe.

And accordingly hee procured one hundred and thirty thouſand pounds which was then in the Mint, and belonging to divers Merchants, ſtrangers and others, to be ſeized on and ſtayed to his Majeſties uſe. And when divers Merchants of London, owners of the ſaid Bullion, came to his houſe to let him underſtand the great miſchiefe that courſe would produce here, and in other parts, what prejudice it would be to the Kingdome, by diſcrediting the Mint, and hindring the importation of Bullion: He the ſaid Earle told them that the City of London dealt undutifully and unthankfully with his Majeſty, and that they were more ready to helpe the Rebell, then to helpe his Majeſty: and that if any hurt came to them, they might thanke themſelves: and that it was the courſe of other Princes, to make uſe of ſuch moneyes to ſerve their occaſions.

And when in the ſame month of July the Officers of his Majeſties Mint came to him, and

and gave him divers reaſons againſt the imbaſing of the ſaid money, he told them that the French King did uſe to ſend Comiſſaries of horſe with Commiſſion to ſearch into mens eſtates, and to peruſe their accompts, that ſo they may know what to levy of them by force, which they did accordingly levie: and turning to the Lord *Cottington* then preſent, ſaid, *That this was a point worthy his Lordſhips conſideration.*

XXVII.

That in or about the month of Auguſt laſt he was made Lieutenant generall of all his Majeſties forces in the Northerne parts againſt the Scots, and being at Yorke did in the month of September by his owne authority, and without any lawfull warrant, impoſe a tax on his Majeſties ſubjects in the County of Yorke, of 8. pence *per diem*, for maintenance of every Souldier of the trained Bonds of that County, which ſummes of money he cauſed to be levied by force. And to the end to compell his Majeſties ſubjects out of feare and terrour to yeeld to the payment of the ſame, hee did declare that hee would commit them that refuſed the payment thereof, and the Souldiers ſhould be ſa-

tisfied out of their estates; and they that refused it were in very little better condition then of high Treason.

XXVIII.

That in the monthes of September and October last, he the said Earl of Strafford being certified of the Scottish Army comming into the Kingdome, and he the said Earle of Strafford being Lieutenant generall of his Majesties Army, did not provide for the defence of the Towne of Newcastle as hee ought to have done, but suffered the same to bee lost, that so hee might the more incense the English against the Scots. And for the same wicked purpose, and out of a malicious desire to ingage the Kingdomes of England and Scotland in a nationall and bloody war, he did write to the Lord *Conway* the generall of the horse, and under the said Earles command, that he should fight with the Scottish Army at the passage over the Tyne, whatsoever should follow, notwithstanding that the said Lord *Conway* had formerly by Letters informed him the said Earle, that his Majesties Army then under his command, was not of force sufficient to incounter the Scots, by which advice of his he did contrary to the duty

duty of his place betray his Majesties Army then under his command, to apparent danger and losse.

All and every of which words, counsells, and actions of the said Earle of Strafford traiterously and contrary to his allegiance to our Soveraigne Lord the King, and with an intention and endeavour to alienate and withdraw the hearts and affections of the Kings liege people of all his Realmes from his Majesty, and to set a division betweene them, and to ruine and destroy his Majesties said Kingdomes. For which they doe further impeach him the said *Thomas* Earle of Strafford of High Treason against our Soveraigne Lord the King, his Crowne and dignity.

FINIS.

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